

LICENSING ACT 2003

LICENSING PANEL

12 FEBRUARY 2021

REPORT TITLE	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Lateral Wylde Limited** and relates to the premises known as **Lateral, 83 Banks Road, West Kirby**.

RECOMMENDATION/S

The Licensing Panel are asked to consider the application for a Premises Licence in respect of the above premises.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 It is a statutory requirement for this Panel to determine the application due to relevant representations being received.

2.0 OTHER OPTIONS CONSIDERED

2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

3.1 These premises currently do not have a Premises Licence.

3.2 APPLICATION

The application for a Premises Licence is as follows:

Sale by Retail of Alcohol

Sunday to Saturday	11:00 to 22:30
Boxing Day	11:00 to 00:00
New Years Eve	11:00 to 00:00

Recorded Music

Sunday to Saturday	08:30 to 23:00
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Live Music

Friday and Saturday	20:00 to 22:00
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Hours Open to the Public

Sunday to Saturday	08:30 to 23:00
Boxing Day	08:30 to 01:00
New Years Eve	08:30 to 01:00

3.3 PROMOTION OF LICENSING OBJECTIVES

Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business to promote the four Licensing Objectives. A copy of the full application is available.

Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule may become conditions of licence should the application be granted.

Following discussions with Merseyside Police the applicant has agreed to include the following of conditions to be placed on the Premises Licence if the application is granted. Details of these conditions are as follows:

- CCTV must be installed at the premises and be provided in the form of a recordable system capable of providing good quality images. The CCTV Cameras must encompass all ingress and egress to the premises, all areas where the sale or

supply of alcohol occurs. The CCTV system must be maintained in good working order and correctly timed and dated. The CCTV recordings must be retained for a period of 31 days and handed to Police on request and in line with relevant data protection legislation. The CCTV recording equipment being of a digital hard drive system must be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual.

- All members of staff at the premises must seek credible photographic proof of age from any such person who appears to be under the age of 21 years and who is seeking to purchase alcohol. Such credible evidence, which must include a photograph of the customer, must either be a passport, photographic driving licence or proof of age card carrying a PASS logo. All occasions where persons have been refused must be recorded in writing.

3.4 RELEVANT REPRESENTATIONS

The following representations have been received in respect of the above application.

Local Residents – Against application

In respect of this application, 16 representations have been received from Local Residents and from individuals supporting Local Residents. The representations relate to concerns of noise nuisance from entertainment coming from the premises and nuisance being caused by customers both inside the premises and within the vicinity of the premises. Copies of the representations are available.

Local Residents – Supporting application

In respect of this application, two representations have been received from Local Residents who support the application as they consider that the granting of this application will not undermine the Licensing Objectives. Copies of the representations are available.

Ward Councillors

Representations have been received from Local Councillors Tony Cox, Alison Wright and Jeff Green who support the representations submitted by Local Residents who are against the application. Copies of the representations are available.

3.5 There have been no representations received from the following Responsible Authorities:

Wirral Safeguarding Children Board
Fire Authority
Environmental Health
Trading Standards
Merseyside Police
Licensing Authority
Public Health

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 A decision of this Committee can be subject to Appeal.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are none arising directly from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 Statutory consultation has been undertaken in respect of this application.

9.0 EQUALITY IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are none arising from the content of this report.

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APPENDICES

None

BACKGROUND PAPERS

- Application for a Premises Licence
- Representations received from Local Residents (against and support)
- Representation received from Local Councillors

SUBJECT HISTORY (last 3 years)

Council Meeting	Date